

REMARKS

1. Summary of Office Action

In the Office action mailed August 18, 2004, the Examiner rejected claims 1-3, 9-11, and 14-17 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,131,112 A (Lewis et al.). Further the Examiner rejected claims 4, 5, 12, and 13 under 35 U.S.C. §103(a) as being unpatentable over Lewis et al. in view of U.S. Patent No. 6,317,743 A (Heck).

2. Amendments and Pending Claims

Applicant has amended claims 1-2, 9-10, and 14-17 and has added new claims 18-19. Now pending in this application are claims 1-5 and 9-19 of which claims 1, 9, 14, 16, and 17 are independent.

3. Response to §102 Rejections

As noted above, the Examiner rejected claims 1-3, 9-11, and 14-17 as being anticipated by Lewis et al. The Applicant respectfully traverses the anticipation rejection of pending claims 1-3, 9-11, and 14-17 because Lewis et al. does not disclose or suggest each and every element as recited in any of these claims.

The Applicant has amended claims 1, 9, 14, 16, and 17 to clarify that a first command line interface server processes a first command addressed to boards of a first board type programmed with a first version of software and that a second command line interface server processes a second command addressed to boards of the first board type programmed with a second version of software. The first and second command line interface servers are both stored in a memory. Processing the first command includes routing the first command to boards of the first board type programmed with the first version of software, and processing the second command includes routing the second command to boards of the first board type programmed

with the second version of software. Consequently, commands may be routed to a board according to a version of software loaded onto the board. Thus the Applicant respectfully submits that Lewis et al. does not disclose or suggest the claimed combination of using a first command line interface server, stored in the memory, to route a first command to boards of the first board type having the first version of software, and using a second command line interface server, stored in the memory, to route a second command to boards of the first board type having the second version of software, as recited in claims 1, 9, 14, 16, and 17.

Further, the Applicant has amended claim 9 by claiming a proxy agent for (i) receiving the first command from the first command line interface server and routing the first command to one or more boards of the first board type programmed with the first version of software, and (ii) receiving the second command from the second command line interface server and routing the second command to one or more boards of the first board type programmed with the second version of software. Claim 9 was also amended to clarify that the memory concurrently stores the first and second command line interface servers. Consequently, at least two command line interface servers are stored in the memory at the same time. Thus, the Applicant respectfully submits that Lewis et al. does not disclose or suggest the claimed combination of (i) the memory for storing a first command line interface server that processes commands addressed to boards of the first board type programmed with the first version of software and for storing a second command line interface server that processes commands addressed to boards of the first board type programmed with the second version of software, where *the memory concurrently stores the first and second command line interface servers*, (ii) the processor for directing a first command, addressed to boards of the first board type programmed with the first version of software, to the first command line interface server, and for directing a second command, addressed to boards of

the first board type programmed with the second version of software, to the second command line interface server, and (iii) the proxy agent for receiving the first command from the first command line interface server and for routing the first command to one or more boards of the first board type programmed with the first version of software, and for receiving the second command from the second command line interface server and for routing the second command to one or more boards of the first board type programmed with the second version of software, as recited in claim 9.

Further still, the Applicant has amended claim 16 to clarify that the computer program for processing commands includes code for (i) routing a first command, received at the master session process, to the first command line interface server, and (ii) routing a second command, received at the master session process, to the second command line interface server. Claim 16 was also amended to clarify that (i) processing the first command includes routing the first command to one or more boards of the first board type programmed with the first version of software, (ii) processing the second command includes routing the second command to boards of the first board type programmed with the second version of software, and (iii) the memory concurrently stores the first and second command line interface servers. The Applicant respectfully submits that Lewis et al. does not disclose or suggest the claimed computer program that includes in combination (i) first code for receiving and storing in memory a first command line interface server, (ii) second code for receiving and storing in the memory a second command line interface server, (iii) third code for routing a first command, received at a master session process, to the first command line interface server, and for routing a second command, received at the master session process, to the second command line interface server, and (iv) fourth code

for processing the first command using the first command line interface server and for processing the second command using the second command line interface server, as recited in claim 16.

Because Lewis et al. does not teach or suggest all of the elements in claims 1, 9, 14, 16, and 17, Lewis et al. fails to anticipate these claims under §102. Further, because each of claims 2-5, 10-13, 15 and 18-19 depend from claim 1, 9, or 14, Lewis et al. necessarily also fails to anticipate claims 2-5, 10-13, 15 and 18-19 as well.

4. Response to §103 Rejections

As noted above, the Examiner rejected claims 4, 5, 12, and 13 as being unpatentable over Lewis et al. in view of Heck. As described above, Lewis et al. fails to disclose or suggest the claim elements of claim 1 and claim 9. Applicant does not find that Heck overcomes the deficiency of Lewis et al. Moreover, claims 4, 5, 12, and 13 depend from either claim 1 or claim 9 and thus include all of the limitations of either claim 1 or claim 9. Consequently, Applicant submits that (i) Lewis et al. and Heck, whether considered alone or in combination, fail to disclose or suggest the invention of claims 4, 5, 12, and 13 and (ii) claims 4, 5, 12, and 13 are in condition for allowance.

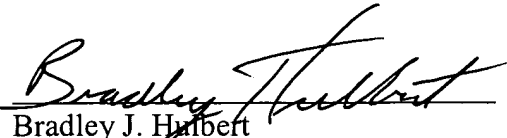
5. Conclusion

Applicant respectfully submits that claims 1-5 and 9-19 are now in a condition for allowance, and respectfully requests favorable reconsideration and prompt allowance of the claims. If the Examiner would like to discuss this case, the Examiner is welcomed to contact the undersigned at (312) 913-2122.

Respectfully submitted,

Date: November 5, 2004

By:


Bradley J. Hulbert
Reg. No. 30,130



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
3COM Case No. 3663.CS.US.P
(Case No. 01-393)

In re Application of:

Manny Powers

Serial No.: 09/863,509

Filed: May 23, 2001

For: SYSTEM AND METHOD FOR
ROUTING INFORMATION TO
MULTIPLE POINTS WITHIN
AN EMBEDDED ENVIRONMENT

Art Unit: 2155

Examiner: Michael Young Won

Confirmation No. 9889

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

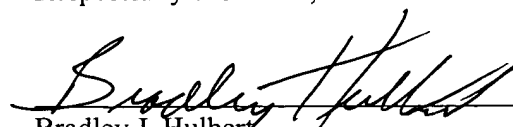
Dear Sir:

In regard to the above identified application,

1. I am transmitting herewith the attached:
 - a) Response to Office action; and
 - b) Return receipt postcard.
2. With respect to fees:
 - a) No additional fees are due.
 - b) Please charge any underpayment or credit any overpayment to Deposit Account, No. 13-2490.
3. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 5, 2004.

Respectfully submitted,

Date: November 5, 2004


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